UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 October 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *80-84,87-92,94-99,102-107,109-114,117-122 and 124-131* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *80-84,87-92,94-99,102-107,109-114,117-122 and 124-131* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communication filed on 6/16/2008. Claims 24-79,

    85,86, 93, 100, 101, 108, 115, 116, 123 are cancelled. Claims 1-23 are

    withdrawn from consideration. Claims 126-131 are newly added claims.

    Therefore Claims 84,87-92, 94-99, 102-107, 109-114, 117-122, 124-131 are

    presented for examination.

2. This amendment has been fully considered and entered.

Terminal Disclaimer

The terminal disclaimer filed on 10/23/2008 disclaiming the terminal portion of

any patent granted on this application which would extend beyond the expiration date of

any patent granted on 11/365,208 has been reviewed and is accepted. The terminal

disclaimer has been recorded.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 80-84, 87-92, 94-99, 102-107,109-114,117-122,124-131 are rejected

under 35 U.S.C. 103(a) as being unpatentable over Lawler et al. U.S. Patent #

5,758,259 (hereinafter Lawler) in view of Arai et al. U.S. Patent # 6,532,591

(hereinafter Arai)

As per claim 80, Lawler teaches a method implemented by a terminal apparatus

for processing information related to consumption of multimedia content in a digital

broadcast system, the method comprising:

-receiving one or more group descriptions ("personal preference" or "household

preference" or "national preference" or "critics preference") at the terminal apparatus

(Fig. 3a element 18) from a server in the digital broadcast system (column 3 lines 24-31,

column 11 lines 3-31), each group description representing a respective group of

broadcast programs and describing actual program elements that are common in each

broadcast program of the respective group ("Kung Fu: The legend continues" or

"Trailside: Make you" or "My fair lady" or "star wars"), and wherein each group

description includes a title for the respective group and a group identifier (table 1a

"movie criteria" or "sports criteria") that uniquely identifies the respective group of

broadcast programs (television series "MASH" Table 1c) (column 6 lines 36-42) (Fig.

3A-C)(column 4 lines 43-57)(column 5 lines 20-51)

-receiving a first program description and a first group description at the terminal

apparatus from the server, the first program description describing content in a first

broadcast program multimedia object and including (i) a title for the first broadcast

program (Table 12, "Boston Red Sox"), (ii) a first object identifier that uniquely identifies

the first broadcast program object (Table 1a "George Lucas"), and (iii) a first group

reference that includes a first group identifier to identify a first group of broadcast

programs to which the first broadcast program belongs (Table 1a "movie criteria"),

wherein the first group description describes actual program elements common in each

broadcast program of the first group, and includes at least a title for the first group

(column 6 lines 10-67)(column 7 lines 1-34);

Lawler teaches storing the group identifier and at least a portion of each of the

one or more group descriptions (column 7 lines 58-67)(column 8 lines 1-3, lines 34-

44)(Table 2) but is silent in teaching storing in the terminal apparatus. Lawler is also

silent in teaching at the terminal apparatus comparing the first group identifier with the

group identifier of each respective group of the one or more previously stored group

descriptions if the first broadcast program is displayed on a display of the terminal

apparatus; and if the first group identifier is different from the previously stored group

identifiers, storing in the terminal apparatus the first group identifier and at least a

portion of the first group description about the actual program elements common in

each broadcast program of the first group and if the first group identifier is the same as

one of the previously stored group identifier, not storing the received first group

description

Arai teaches storing (Fig. 101 element 114) in the terminal apparatus (Fig. 101

element 116) and at the terminal apparatus comparing the first group identifier with the

group identifier of each respective group of the one or more previously stored group

descriptions if the first broadcast program is displayed on a display of the terminal

apparatus (column 75 lines 20-27); and if the first group identifier is different from the

previously stored group identifiers, storing in the terminal apparatus the first group

identifier and at least a portion of the first group description about the actual program

elements common in each broadcast program of the first group (column 75 lines 57-

67)(column 76 lines 1-8) and if the first group identifier is the same as one of the previously stored group identifier, not storing the received first group description (column 77 lines 43-67)(column 78 lines 1-8).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Arai's teaching in Lawler's teaching to come up with storing at the terminal the group identifier and the description and comparing at the terminal the group identifier with the stored identifier. The motivation for doing so would be to reduce waiting time for the user who is waiting to receive/view newer program description, since the description is already stored at the terminal rather than at the server which would take little bit longer time to download/receive comparable to the terminal.

As per claim 81, Lawler and Arai teaches the method of claim 80, further comprising:

-storing a usage history that lists user actions and associates the first object identifier with each user action that is related to the first broadcast program(Fig. 6)(column 8 lines 51-67)(column 9 lines 1-11). Lawler is silent in teaching storing at the terminal apparatus. Arai teaches storing at the terminal apparatus (column 75 lines 20-27). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Arai's teaching in Lawler's teaching to come up with storing at the terminal. The motivation for doing so would be to reduce waiting time for the user who is waiting to receive/view storage history, since the

program is already stored at the terminal rather than at the server which would take little

bit longer time to download/receive comparable to the terminal.

As per claim 82, Lawler and Arai teaches the method of claim 81, further

comprising: but Lawler further teaches providing first link information in the usage

history, wherein the first link information is configured to link the first group description

to each user action that is related to the first broadcast program and listed in the usage

history (Fig. 6)(column 8 lines 51-67)(column 9 lines 1-11).

As per claim 83, Lawler teaches the method of claim 82, wherein the first link

information includes the first group identifier (column 9 lines 2-11 "Talk show criteria")

As per claim 84, Lawler teaches the method of claim 81, wherein storing the

usage history includes storing the usage history with the first link information (Fig.

6)(column 8 lines 51-67)(column 9 lines 1-11).

As per claim 87, Lawler teaches the method of claim 80, wherein the first group

of broadcast programs represents a series of episodes, and wherein the first group

reference indicates that the first broadcast program represents an episode of the series

(column 6 lines 11-44)(Table 1D).

As per claim 88, Lawler teaches the method of claim 87, wherein the first group

reference specifies an episode number for the first broadcast program in the series of

episodes (column 7 lines 25-35).

As per claim 89, Lawler teaches the method of claim 80, wherein the first

program description includes a hierarchical structure in which the first group reference

to the group is represented at the same hierarchical level as a container including

program description elements (Table 1A-D)(Fig. 3A-C "value" "criterion field").

As per claim 90, Lawler teaches the method of claim 89, wherein the program

description elements include an element describing a genre for the first broadcast

program (Table 1a-d "genre")

As per claim 91, Lawler teaches the method of claim 89, wherein the program

description elements include an element specifying a director, an actor, or an actress for

the first broadcast program (Table 1a "Criterion field" "director" "George Lucas")

As per claim 92, Lawler teaches the method of claim 89, wherein the program

description elements include an element for a textual description of the content in the

first broadcast program (Table 1c "Talk" i.e. talk show).

As per claim 94, Lawler teaches the method of claim 80, wherein the first group

description specifies a genre for the first group of broadcast programs (Table 1b-d

"genre" & Table 2 "genre" criterion").

As per claim 95, Lawler teaches the method of claim 80, wherein the first group

description specifies a director or one or more actors or actresses for the first group of

broadcast programs (Table 1a "director name" for movie criteria)

As per claim 96, Lawler teaches a computer program product, embodied in a

computer readable medium, for processing information related to a consumption of

multimedia content, the computer program comprising instructions to cause data

processing apparatus in a broadcast terminal of a digital broadcast system to perform

operations (column 11 lines 21-28, claim 3) comprising:

-receiving one or more group descriptions ("personal preference" or "household

preference" or "national preference" or "critics preference") at the broadcast terminal

apparatus (Fig. 3a element 18) *from a server in the digital broadcast* system(column

3 lines 24-31, column 11 lines 3-31), each group description representing a respective

group of broadcast programs and describing actual program elements that are common

in each broadcast program of the respective group ("Kung Fu: The legend continues"

or "Trailside: Make you" or "My fair lady" or "star wars"), and wherein each group

description includes a title for the respective group and a group identifier (table 1a

"movie criteria" or "sports criteria") that uniquely identifies the respective group of

broadcast programs (television series "MASH" Table 1c) (column 6 lines 36-42) (Fig.

3A-C)(column 4 lines 43-57)(column 5 lines 20-51)

-receiving a first program description and a first group description at the terminal

apparatus from the server, the first program description describing content in a first

broadcast program multimedia object and including (i) a title for the first broadcast

program (Table 12, "Boston Red Sox"), (ii) a first object identifier that uniquely identifies

the first broadcast program object (Table 1a "George Lucas"), and (iii) a first group

reference that includes a first group identifier to identify a first group of broadcast

programs to which the first broadcast program belongs (Table 1a "movie criteria"),

wherein the first group description describes actual program elements common in each

broadcast program of the first group, and includes at least a title for the first group

(column 6 lines 10-67)(column 7 lines 1-34);

Lawler teaches storing the group identifier and at least a portion of each of the

one or more group descriptions (column 7 lines 58-67)(column 8 lines 1-3, lines 34-

44)(Table 2) but is silent in teaching storing in the broadcast terminal. Lawler is also

silent in teaching at the broadcast terminal comparing the first group identifier with the

group identifier of each respective group of the one or more previously stored group

descriptions if the first broadcast program is displayed on a display of the broadcast

terminal; and if the first group identifier is different from the previously stored group

identifiers, storing in the broadcast terminal the first group identifier and at least a

portion of the first group description about the actual program elements common in

each broadcast program of the first group and if the first group identifier is the same as

one of the previously stored group identifier, not storing the received first group

description

Arai teaches storing (Fig. 101 element 114) in the terminal apparatus (Fig. 101

element 116) and at the storing in the broadcast terminal comparing the first group

identifier with the group identifier of each respective group of the one or more previously

stored group descriptions if the first broadcast program is displayed on a display of the

broadcast terminal (column 75 lines 20-27); and if the first group identifier is different

from the previously stored group identifiers, storing in the broadcast terminal the first

group identifier and at least a portion of the first group description about the actual

program elements common in each broadcast program of the first group (column 75

lines 57-67)(column 76 lines 1-8) and if the first group identifier is the same as one of

the previously stored group identifier, not storing the received first group description (column 77 lines 43-67)(column 78 lines 1-8).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Arai's teaching in Lawler's teaching to come up with storing at the terminal the group identifier and the description and comparing at the terminal the group identifier with the stored identifier. The motivation for doing so would be to reduce waiting time for the user who is waiting to receive/view newer program description, since the description is already stored at the terminal rather than at the server which would take little bit longer time to download/receive comparable to the terminal

As per claims 97-98, 99, 102-107, 109-110 respectively, teaches same limitation as claims 81-82,84, 87-92, 94-95 respectively, therefore rejected under same basis.

As per claim 111, Lawler teaches a broadcast terminal in a digital broadcast system for processing information related to consumption of multimedia content, the broadcast terminal comprising:

-a display (Fig. 1 element 16);

-a memory unit (Fig. 2 element 68); and

-data processing apparatus configured to:

-receive one or more group descriptions ("personal preference" or "household preference" or "national preference" or "critics preference") at the terminal apparatus (Fig. 3a element 18) *from a server in the digital broadcast system* (column 3 lines 24-31, column 11 lines 3-31), each group description representing a respective group of

broadcast programs and describing actual program elements that are common in each

broadcast program of the respective group ("Kung Fu: The legend continues" or

"Trailside: Make you" or "My fair lady" or "star wars"), and wherein each group

description includes a title for the respective group and a group identifier (table 1a

"movie criteria" or "sports criteria") that uniquely identifies the respective group of

broadcast programs (television series "MASH" Table 1c) (column 6 lines 36-42) (Fig.

3A-C)(column 4 lines 43-57)(column 5 lines 20-51)

-receive a first program description and a first group description at the terminal

apparatus from the server, the first program description describing content in a first

broadcast program multimedia object and including (i) a title for the first broadcast

program (Table 12, "Boston Red Sox"), (ii) a first object identifier that uniquely identifies

the first broadcast program object (Table 1a "George Lucas"), and (iii) a first group

reference that includes a first group identifier to identify a first group of broadcast

programs to which the first broadcast program belongs (Table 1a "movie criteria"),

wherein the first group description describes actual program elements common in each

broadcast program of the first group, and includes at least a title for the first group

(column 6 lines 10-67)(column 7 lines 1-34);

Lawler teaches store the group identifier and at least a portion of each of the one

or more group descriptions (column 7 lines 58-67)(column 8 lines 1-3, lines 34-

44)(Table 2) but is silent in teaching storing in the broadcast terminal. Lawler is also

silent in teaching at the broadcast terminal comparing the first group identifier with the

group identifier of each respective group of the one or more previously stored group

descriptions if the first broadcast program is displayed on a display; and if the first group

identifier is different from the previously stored group identifiers, store the first group

identifier and at least a portion of the first group description about the actual program

elements common in each broadcast program of the first group in the memory unit and

if the first group identifier is the same as one of the previously stored group identifier,

not storing the received first group description.

Arai teaches storing (Fig. 101 element 114) in the broadcast terminal (Fig. 101

element 116) and at the broadcast terminal compare the first group identifier with the

group identifier of each respective group of the one or more previously stored group

descriptions if the first broadcast program is displayed on a display (column 75 lines 20-

27); and if the first group identifier is different from the previously stored group

identifiers, store in the terminal apparatus the first group identifier and at least a portion

of the first group description about the actual program elements common in each

broadcast program of the first group in the memory unit (column 75 lines 57-67)(column

76 lines 1-8) and if the first group identifier is the same as one of the previously stored

group identifier, not storing the received first group description (column 77 lines 43-

67)(column 78 lines 1-8).

It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention was made to implement Arai's teaching in Lawler's teaching to

come up with storing at the terminal the group identifier and the description and

comparing at the terminal the group identifier with the stored identifier. The motivation

for doing so would be to reduce waiting time for the user who is waiting to receive/view

newer program description, since the description is already stored at the terminal rather than at the server which would take little bit longer time to download/receive comparable to the terminal.

As per claims 112-113,114, 117-122, 124-125 respectively, teaches same limitation as claims 81-82, 84, 87-92, 94-95 respectively, therefore rejected under same basis.

As per claim 126, Lawler teaches a method implemented by a terminal apparatus for processing information related to consumption of multimedia content in a digital broadcast system, the method comprising:

-receiving one or more group descriptions ("personal preference" or "household preference" or "national preference" or "critics preference") at the terminal apparatus (Fig. 3a element 18) from a server in the digital broadcast system (column 3 lines 24-31, column 11 lines 3-31), each group description representing a respective group of broadcast programs and describing actual program elements that are common in each broadcast program of the respective group ("Kung Fu: The legend continues" or "Trailside: Make you" or "My fair lady" or "star wars"), and wherein each group description includes a group identifier (table 1a "movie criteria" or "sports criteria") that uniquely identifies the respective group of broadcast programs (television series "MASH" Table 1c) (column 6 lines 36-42) (Fig. 3A-C)(column 4 lines 43-57)(column 5 lines 20-51)

-receiving a first program description and a first group description at the terminal apparatus from the server, the first program description describing content in a first

broadcast program including (i) a first object identifier that uniquely identifies the first

broadcast program object (Table 1a "George Lucas"), and (ii) a first group reference

that includes a first group identifier to identify a first group of broadcast programs to

which the first broadcast program belongs (Table 1a "movie criteria"), wherein the first

group description describes actual program elements common in each broadcast

program of the first group (column 6 lines 10-67)(column 7 lines 1-34);

Lawler teaches storing the group identifier and at least a portion of each of the

one or more group descriptions (column 7 lines 58-67)(column 8 lines 1-3, lines 34-

44)(Table 2) but is silent in teaching storing in the terminal apparatus. Lawler is also

silent in teaching at the terminal apparatus comparing the first group identifier with the

group identifier of each respective group of the one or more previously stored group

descriptions; and if the first group identifier corresponds to one f the previously stored

group identifiers, linking the first broadcast program to the corresponding one of the

previously stored group descriptions without storing the received first group description.

Arai teaches storing (Fig. 101 element 114) in the terminal apparatus (Fig. 101

element 116) and at the terminal apparatus comparing the first group identifier with the

group identifier of each respective group of the one or more previously stored group

descriptions if the first broadcast program is displayed on a display of the terminal

apparatus (column 75 lines 20-27); if the first group identifier corresponds to one f the

previously stored group identifiers, linking the first broadcast program to the

corresponding one of the previously stored group descriptions without storing the

received first group description(column 75 lines 57-67)(column 76 lines 1-8)(column 77 lines 43-67)(column 78 lines 1-8).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Arai's teaching in Lawler's teaching to come up with storing at the terminal the group identifier and the description and comparing at the terminal the group identifier with the stored identifier. The motivation for doing so would be to reduce waiting time for the user who is waiting to receive/view newer program description, since the description is already stored at the terminal rather than at the server which would take little bit longer time to download/receive comparable to the terminal.

As per claim 127, Lawler and Arai teaches the method of claim 126, but Arai further teaches storing in the terminal apparatus the first group identifier and at least a portion of the first group description about the actual program elements common in each broadcast program of the first group (column 75 lines 57-67)(column 76 lines 1-8) and if the first group identifier is the same as one of the previously stored group identifier, not storing the received first group description, if the first group identifier is different from the previously stored group identifiers (column 77 lines 43-67)(column 78 lines 1-8).

As per claims 128-129 respectively, teaches same limitation as claims 126,127 respectively, therefore rejected under same basis.

As per claims 130-131 respectively, teaches same limitation as claims 126,127 respectively, therefore rejected under same basis.

Response to Arguments

Applicant's arguments with respect to claims 80-84,87-92,94-95,96-99,102-107,109-114,117-122,124,125,126-131 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A). "Method for increasing the functionality of a media player/recorder device or an application program" by Cox et al. U.S. Patent # 6,456,725.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAP

/John Follansbee/

Supervisory Patent Examiner, Art Unit 2451